IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 17TH JANUARY 2007 / 27TH PAUSHA 1928

Bail Appl..No. 365 of 2007()

CRIME NO. 99/91 OF MEPPAYYUR POLICE STATION

PETITIONER/ACCUSED NO.22 :

MUNEER, S/O. KUNJAYANKUTTY,
15/91, PALOLITHAZHA HOUSE
MUYIPOTHU AMSOM DESOM

BY ADV. SRI.PULIKKOOL ABUBACKER
SRI.ZUBAIR PULIKKOOL

RESPONDENTS:

SUB INSPECTOR OF POLICE, MEPPAYYUR POLICE STATION
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 365 of 2007

DATED: January 17, 2007

O R D E R

Petitioner who is the 2nd accused in Crime No.99/91 of Meppayyur Police Station for offences punishable under Secs. 143, 147, 148, 324, 332 and 353 read with Sec. 149 I.P.C. and Sec. 3 (2) (e) of the Prevention of Destruction of Public Property Act, 1984 , seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner the case against him was split up and transferred to the L.P. Register where it has been registered as L.P.17/94 before the J.F.C.M., Koyilandy. Admittedly, non-bailable warrants of arrest are pending against the petitioner. Such being the position, I am not inclined to nullify the process issued by a court of competent jurisdiction by granting anticipatory bail. It is for the petitioner to seek regular bail after surrendering before the concerned Magistrate's Court. Accordingly, if the petitioner surrenders before the magistrate court and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed, despite the non-bailable warrants of arrest are pending against the petitioner, after examining the explanation

offered by the petitioner for his previous non-appearance and also after considering the contention of the petitioner that the co-accused in the case have been acquitted.

With the above observation this application is dismissed.

Sd/- **V.RAMKUMAR,**
JUDGE.

ani/-

/true copy/

P.A. to Judge.